IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS MCALLEN DIVISION

UNITED STATES OF AMERICA	§		
	§		
Plaintiff,	§		
	§		
V.	§	CASE NO.	7:08-CV-191
	§		
0.16 ACRES OF LAND, MORE OR	§		
LESS, SITUATED IN STARR COUNTY,	§		
TEXAS; AND UNKNOWN OWNERS,	§		
ET AL.,	§		
	§		
Defendant.	§		

UNITED STATES' SUPPLEMENTAL RESPONSE TO THE DISTRICT COURT'S ORDER FOR A CASE STATUS UPDATE

COMES NOW the United States of America (hereinafter "United States"), and in response to the District Court's September 4, 2012, Order to inform the Court on the status of the case; inform the Court of any impediment to resolving the case; and, the prospects of resolution in the near future avers as follows:

On October 15, 2012 the United States filed its Joint Response to the Court's Order for a Case Status Update (Docket No. 12). At that time, the United States anticipated finalizing title commitments and land surveying by August 2013. To date, the United States has finalized land surveys for the tracts of land condemned in Starr County, Texas. However, the United States has not finalized title reports and policies for the tracts of land condemned in Starr County, Texas. As a result, the United States cannot give a date certain for filing an Amended Declaration of Taking.

The United States, through the Army Corps of Engineers, finalized a contract with a title

company at the beginning of July 2013 to provide title reports and policies for the border fence

tracts in Starr County, Texas.

Title reports and policies for cases such as the above-styled case will be ordered in

batches of 10 to 15 tracts after October 1, 2013. The United States cannot predict when the title

report and policy for the above-styled case will be ordered and/or received at this time. The

United States expects to file an Amended Declaration of Taking once the title report and policy

have been received and reviewed for compliance with federal requirements.

WHEREFORE, premises considered, the United States prays the Court continue the

suspension of deadlines in this matter pending the filing of an Amended Declaration of Taking

and the resolution of any title issues raised as a result of filing the Amended Declaration of

Taking.

Respectfully submitted,

FOR PLAINTIFF

KENNETH MAGIDSON

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CERTIFICATE OF SERVICE

I, William E. Yahner, Assistant United States Attorney for the Southern District of Texas, do hereby certify that on August 29, 2013, I mailed a true and correct copy of the foregoing document via regular mail to the all parties remaining in this cause.

By: s/William E. Yahner

WILLIAM E. YAHNER

Assistant United States Attorney